

R E C E I V E D

AUG - 9 2011

AT 8:30 M
WILLIAM T. WALSH
CLERK

DAY PITNEY LLP

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(973) 966-6300

ATTORNEYS FOR Defendant
International Flavors & Fragrances Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

V. MANE FILS S.A.,

Plaintiff,

v.

INTERNATIONAL FLAVORS AND
FRAGRANCES INC.,

Defendant.

Civil Action No. 06-2304 (PGS) (DEA)

**PROPOSED FINDINGS OF FACT AND
CONCLUSIONS OF LAW AND ORDER
GRANTING IFF'S MOTION TO FILE
UNDER SEAL**

(Filed Electronically)

THIS MATTER having been opened to the Court upon the application of Day Pitney LLP and Cravath, Swaine & Moore LLP, attorneys for Defendant International Flavors & Fragrances Inc. ("IFF"), on notice to Plaintiff V. Mane Fils S.A. ("Mane"), pursuant to Local Civil Rule 5.3 for an Order sealing papers submitted in connection with IFF's opposition to Mane's Motion for Terminating Sanctions ("Sanctions Motion"); and the Court having

considered the papers filed in support of and in opposition to the application, if any; therefore, the following shall constitute the Order of the Court as to the sealing of papers submitted in connection with IFF's opposition to Mane's Sanctions Motion:

FINDINGS OF FACT

1. This matters involves allegations of patent infringement and various tort claims. This Court entered a protective order on June 5, 2007 and an amended protective order ("Protective Order") on August 12, 2009 in this matter. The Protective Order provides for three tiers of designating Confidential Information.

2. Both IFF and Mane have produced and designated Confidential Information in this matter. Some of this Confidential Information has been presented to the Court by IFF for consideration in connection with its opposition to Mane's Sanctions Motion.

3. No party to this lawsuit or third-party has objected to the entry of this Order or expressed any public interest in the materials that are the subject of this Order.

CONCLUSIONS OF LAW

1. IFF has clearly defined the nature of the papers to be sealed in connection with its opposition to Mane's Sanctions Motion.

2. The parties have a legitimate interest in maintaining the confidentiality of the papers to be sealed in connection with IFF's opposition to Mane's Sanctions Motion.

3. There is no less restrictive alternative to the relief sought by IFF, as the papers to be sealed under this Order are directly relevant to the issues presented in Mane's Sanctions Motion.

IT IS on this 9th day of August, 2011,

ORDERED that IFF's Motion to File Under Seal papers submitted in connection with its opposition to Mane's Sanctions Motion is GRANTED; and

IT IS FURTHER ORDERED that the Clerk shall maintain under seal the Brief and Certifications, including exhibits, submitted in support of IFF's opposition to Mane's Sanctions Motion.



HON. DOUGLAS E. ARPERT, U.S.M.J.

- unopposed / consent

to terminate that entry no. 280